

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

**ORDER NO. 4**

MIRENA IUD PRODUCTS LIABILITY LITIGATION

13-MD-2434 (CS)

*This Document Relates To All Actions*

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Seibel, J.

The Court has received applications for Plaintiffs' Co- Lead and Liaison Counsel from Diogenes P. Kekatos. (*See* Doc. 65 Ex. A.) Having carefully reviewed all of the submissions, upon open discussion of the applications during this Court's initial case management conference of May 17, 2013, and there being no opposition from counsel for any known Plaintiff, the Court hereby appoints the following as Plaintiffs' Co-Lead and Liaison Counsel:

Fred Thompson III – Plaintiffs' Co-Lead Counsel

Matthew J. McCauley – Plaintiffs' Co-Lead Counsel

James R. Ronca – Plaintiffs' Co-Lead Counsel

Diogenes P. Kekatos – Plaintiffs' Liaison Counsel

Plaintiffs' Co-Lead and Liaison Counsel shall, by **June 17, 2013**, submit their proposal for the Court's appointment of a Plaintiffs' Steering Committee, and the proposed composition thereof. In that proposal, Plaintiffs' Co-Lead and Liaison Counsel shall advise the Court whether the proposed nominees for appointment to such committee reflect a consensus of the attorneys representing all known Plaintiffs in or anticipated to be consolidated with this multidistrict litigation ("MDL") or, if they do not, shall provide the Court with (i) a list of all those attorneys who seek appointment to such committee, (ii) the attorneys' credentials, and (iii) a proposed procedure for the Court's selection of committee members.

Should Plaintiffs' Co-Lead and Liaison Counsel seek constitution of a formal Plaintiffs' Executive Committee, Counsel should submit a similar proposal, additionally setting forth the reasons as to why a formal Executive Committee would be required, and what its responsibilities and duties would be beyond those of Plaintiffs' Co-Lead Counsel and Plaintiffs' Steering Committee.

Plaintiffs' Co-Lead and Liaison Counsel shall also submit a proposed structure applicable to Plaintiffs' Co-Lead and Liaison Counsel, Plaintiffs' Steering Committee, and – if sought – Plaintiffs' Executive Committee, for dividing the responsibilities and tasks necessary to the advancement of this MDL that will avoid unnecessary duplication of work and overstaffing. The proposed structure shall also include the following: (i) guidelines for billable time reporting, including required time increments and associated narrative descriptions; (ii) guidelines for and limitations on Common Benefit expenses, such as travel, photocopies, phone/fax/overnight delivery expenses, electronic legal research costs, expert witnesses, and court reporters for depositions; and (iii) guidelines for the staffing of case-specific tasks, such as depositions, conference calls, and Court conferences, including proposed limitations on the number of attorneys preparing for and present at such tasks.

Plaintiffs' Co-Lead and Liaison Counsel shall also submit proposals as to how to they propose to maintain and submit billing records, by task as well as by attorney, to assist the Court in its review.

**SO ORDERED.**

Dated: May 22, 2013  
White Plains, New York

  
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CATHY SEIBEL, U.S.D.J.